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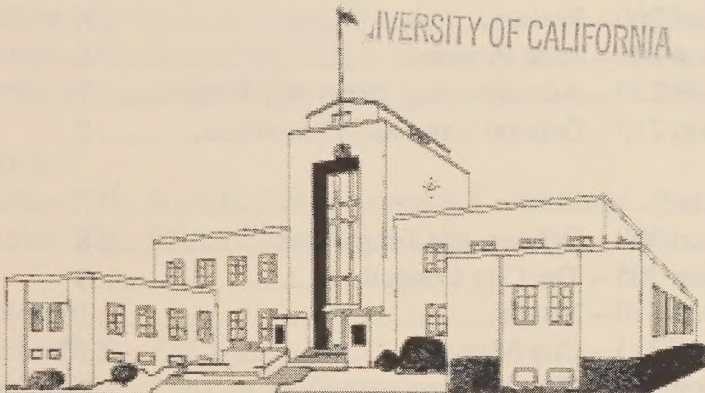
Charter

Of the City of Burbank, California

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Charter

Of the City of Burbank, California

Preamble

We the people of the City of Burbank, in order to exercise the benefits of home rule and establish a responsive, effective and accountable government that maintains the highest level of integrity, provides an outstanding quality of life through excellent municipal services, and through which all voices in our diverse society can be heard, and to provide fair representation and distribution of government resources and a safe, harmonious, and sustainable environment based on principles of liberty and equality, do enact this Charter. (Added by Charter Amendment approved by the voters on April 10, 2007)

ARTICLE 1.

Name, Seal and Boundaries

SECTION 100. NAME. The municipal corporation now existing and known as "The City of Burbank" shall remain and continue as at present, in fact and in law, by the name of the "City of Burbank", and by such name shall have perpetual succession. (Previous Section 1; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 105. SEAL. The Council may by ordinance adopt a seal for the City. (Previous Section 62; renumbered by Charter Amendment approved by the voters on April 10, 2007; previously amended by Charter Amendment ratified by the voters on November 3, 1970, and approved by the State Legislature on January 14, 1971)

SECTION 110. BOUNDARIES. The boundaries of the City of Burbank shall continue as now established until changed as authorized by law. (Previous Section 2; renumbered by Charter Amendment approved by the voters on April 10, 2007)

ARTICLE 2.

Powers

SECTION 200. POWERS. The City of Burbank, by and through its Council and other officials, boards, commissions, committees and employees, shall have and may exercise all powers necessary or appropriate to a municipal corporation and the general welfare of its inhabitants, which are not prohibited by the California Constitution and this Charter, and which it would be competent for this Charter to set forth particularly or specifically; and the specification in this Charter of any particular powers shall not be held to be exclusive or any limitation upon this general grant of powers. (Previous Section 3; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 205. JOINT POWERS. The City shall have the power to contract with any governmental entity, regulated public utility, or other public or private corporation, to perform such services or to acquire, construct,

or administer jointly such public works, public utilities, or other facilities, either inside or outside the City limits, as are beneficial to its citizens or the consumers of its utilities. (Previous Section 3.5; renumbered by Charter Amendment approved by the voters on April 10, 2007; added by Charter Amendment ratified by the voters on May 27, 1969, and approved by the State Legislature on June 24, 1969)

SECTION 210. ADMINISTERING OATHS. SUBPOENAS.

Any Council Member, the City Manager, the City Attorney, the City Clerk, or any officer or employee authorized by ordinance, shall have the power to administer oaths and affirmations, and the City Council, either on its own behalf or upon the written request of any City board, commission or committee authorized by ordinance, shall have the power to issue subpoenas, to compel by subpoena the production of books, papers, and documents, and to take and hear testimony or to order the giving of such testimony concerning any matter or thing pending before the Council or such board or commission. (Previous Section 22; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007; previously amended by Charter Amendment, ratified by the voters on April 10, 2001, and filed with the Secretary of State on June 11, 2001.)

SECTION 215. GENERAL LAWS AND PROCEDURES.

The City shall have the power to exercise any and all rights, powers and privileges previously or in the future established, granted or prescribed by the general laws of the state or by other lawful authority and shall have the power to act pursuant to procedure established by any law of the state unless a different procedure is required by this Charter or by ordinance.

(Previous Section 60; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007; previously amended by Charter Amendment, ratified by the voters on November 3, 1970, and approved by the State Legislature on January 14, 1971)

ARTICLE 3.

Officers and Employees

SECTION 300. OFFICERS AND EMPLOYEES.

The officers of the City of Burbank shall be those provided for in this Charter. The Council may provide for such additional boards, commissions, committees, officers, and employees as may be deemed necessary and prescribe their respective powers and duties. The members of the Council shall be elected from the City at large and shall hold office for four (4) years or until their successors are elected and qualified. All other officers, assistants, deputies, clerks, and employees shall be appointed as provided in this Charter, or as the Council may provide by ordinance in case no provision for their appointment is made. They shall hold their respective offices or positions at the pleasure of the appointing power, except as otherwise provided in this Charter. Where the power to appoint is vested in the Council, a three-fifths (3/5) vote of the Council Members shall be required to effect an appointment or removal. (Previous Section 4; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007; previously amended by Charter Amendment ratified by the voters on June 5, 1984, and filed with the Secretary of State on July 12, 1984; by Charter Amendment ratified by the voters on November 3, 1970, and approved by the State Legislature on January 14, 1971; by Charter Amendment ratified by the votes on February 23, 1965, and approved by the State Legislature on May 5, 1965; and by Charter Amendment

ratified by the voters on April 3, 1951, and approved by the State Legislature on May 31, 1951.)

SECTION 305. THE CITY COUNCIL. The legislative body of the City shall consist of five (5) persons elected at large which body shall be known as the Council. The members of the Council shall be elected by the qualified voters of the City in the manner and for the term provided in this Charter. Members of the Council shall receive such compensation as may be prescribed by ordinance but not to exceed the amount which Council Members of general law cities of similar population would receive under State law, nor shall any Council Member be eligible to hold any other office or employment of the City except as may otherwise be provided in this Charter. In the event of resignation such member shall not be entitled to vote on the selection of their successor. Members of the Council shall not hold any other elective public office to which compensation is attached, and the acceptance of any such office or employment shall be deemed a resignation as Council Member. (Previous Section 5; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007; amended by Charter Amendment ratified by the voters on June 5, 1984, and filed with the Secretary of State on July 12, 1984; by Charter Amendment ratified by the voters on November 3, 1970, and approved by the State Legislature on January 14, 1971; by Charter Amendment ratified by the voters on June 3, 1958, and approved by the Legislature on January 20, 1959; and amended by Charter Amendment ratified by the voters on November 7, 1950, and approved by the State Legislature on January 12, 1951.)

SECTION 310. MAYOR. The Mayor shall be the executive head of the City. In case of riot, insurrection or

extra-ordinary emergency the Mayor, unless delegated to the City Manager by ordinance, shall assume general control of the City government and all of its branches and be responsible for the suppression of disorders and the restoration of normal conditions. In the name and on behalf of the City the Mayor shall sign all contracts, deeds, bonds and other legal instruments in which the City is a party and countersign all warrants; provided, however, that the Council may by ordinance or resolution authorize any other person to sign the same. The Mayor shall represent the City at all ceremonial functions of a social or patriotic character when it is desirable or appropriate to have the City officially represented. The Mayor shall not receive any compensation for services rendered except that received as a Council member. (Previous Section 9; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007; amended by Charter Amendment ratified by the voters on April 10, 2001, and filed with the Secretary of State on June 11, 2001; and by Charter Amendment, ratified by the voters on June 5, 1984, and filed with the Secretary of State on July 12, 1984.)

SECTION 315. CITY MANAGER. (a) There shall be a City Manager appointed by the Council who shall be the administrative head of the City government. The City Manager shall be chosen by the Council solely on the basis of the appointee's executive and administrative qualifications with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of the office.

(b) The City Manager shall be responsible to the Council for the proper administration of all affairs of the City, and to that end, subject to the civil service provisions of

this Charter and all applicable laws and regulations, the City Manager shall have power and shall be required to:

1. Devote full time to the interests of the City.
2. Attend all meetings of the council unless excused by the Council or the Mayor, but shall not have a vote.
3. Appoint and, remove all officers and employees of the City except elected officers and other officers appointed by the Council, and except the employees of such elected officers and other officers appointed by the Council, provided that the City Manager may authorize the head of a department or office to appoint and remove subordinates in such department or office.
4. Prepare the budget annually and submit it to the Council and be responsible for its administration after adoption by the Council.
5. Prepare and submit to the Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year.
6. Keep the Council advised of the financial conditions and future needs of the City and make such recommendations as may seem to be desirable for the consideration and action of the Council.
7. Perform such other duties as may be prescribed by this Charter or required by the Council, consistent with this Charter.
8. Be responsible that all ordinances and laws are enforced. It shall be the responsibility and duty of each Department Manager in the City to inform and advise the

City Manager of any information indicating lack of law enforcement in the City.

(c) In case of the absence of the City Manager from the City, or of any temporary disability to act as such, the Assistant City Manager or such other person designated by the City Manager shall possess the powers and discharge the duties of the City Manager during such absence or disability. If there is no Assistant City Manager, or no person designated by the City Manager to act in his or her absence or disability, the Council shall appoint a City Manager pro tem, who shall possess the powers and discharge the duties of the City Manager during such absence or disability

(d) The members of the Council shall not, nor shall any of them, either directly or indirectly, exact from any candidate for the position of City Manager any promise or assurance, or in any way intimate or suggest to such candidate, that such candidate shall, if appointed as City Manager, appoint or employ, or that it is in any way expected the candidate will appoint or employ, any person who has been or may be discussed, mentioned, referred to, approved, or in any way suggested by any member of the Council or other person, as being fit or qualified to have or hold any position in, or do any work for, the City. Nor shall the members or any member of the Council, either directly or indirectly, by suggestion or otherwise, coerce or bring any pressure to bear upon the City Manager, either to appoint any particular person or persons or class of persons to any position that is or may be vacant, or to give employment of any kind to any such persons, or to discharge any person holding any position or doing any work under the City Manager; or

to make any purchase of supplies from any particular person, firm or corporation.

The prohibition contained in this Charter shall not be construed to mean that any member of the Council, or other person, shall be prohibited from informing the City Manager as to any fact known to such person which might assist the City Manager in appointing or employing competent, fit, and proper persons, or discharging any incompetent or unfit person previously appointed or employed, or to prohibit the giving of any information which might be of benefit to the City Manager in making an advantageous purchase of materials and supplies. (Previous Sections 10 and 69; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 320. CITY ATTORNEY. (a) There shall be a City Attorney appointed by the Council who shall devote full time to the duties of this office and shall not engage in the private practice of law. The City Attorney shall be an attorney-at-law, admitted to the bar of the Supreme Court of this State, and one who has been in actual practice in the State for at least five (5) years directly prior to appointment. The City Attorney shall be the legal adviser of the Council and all other City officials and shall attend all Council meetings unless excused by the Council or the Mayor. The City Attorney shall draft or review all ordinances, contracts, or other legal documents, or proceedings required by the Council or other officials, except as may be otherwise provided, and shall perform such other legal services from time to time as the Council may require.

(b) The Council shall have the power to direct and control the prosecution and defense of all suits and proceedings to which the City is a party, or in which it is interested, and upon the recommendation of the City Attorney, may employ special counsel to assist the City Attorney therein and which the City Attorney shall direct and oversee, and shall provide for the compensation and pay of such counsel.

(c) The City Attorney shall appoint and remove all officers and employees of the City employed in the City Attorney's office subject, when applicable, to the Civil Service system established for the City, and shall do so in keeping with the budget and personnel policies of the City. (Previous Section 11; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 325. CITY CLERK. There shall be a City Clerk elected every four (4) years at the primary or general municipal election who shall be Clerk of the Council.

It shall be a duty of the City Clerk to attend all sessions of the Council and keep a full and correct record of the proceedings thereof. The proceedings of the Council shall be kept in a book marked "Minutes of the Council." The City Clerk shall keep a book marked "Ordinances" in which the City Clerk shall place copies of all City ordinances, certifying that each such copy is a full and correct copy of the original ordinance, and stating that the same has been published as required by law. Said record copy so certified, shall be prima facie evidence of the contents of the ordinance, and of its passage and publication and shall be admissible as such evidence in any court or proceeding. Such record shall

not be filed but shall be returned to the custody of the City Clerk. The City Clerk shall also keep a book marked "Resolutions," into which the City Clerk shall place copies of all resolutions passed by the Council. Both the books containing ordinances and resolutions shall be adequately and comprehensively indexed.

The City Clerk shall be the keeper of the corporate seal of the City, and shall affix the same to instruments or writings requiring authentication. The City Clerk shall safely keep all records, documents, ordinances, resolutions, books, and such other papers and matters as may be regularly delivered into the City Clerk's custody or required by law or ordinance to be filed with the City Clerk. (Previous Section 12; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 330. CITY TREASURER. There shall be a City Treasurer elected every four (4) years at the primary or general municipal election. It shall be the duty of the City Treasurer to receive and safely keep all monies and securities belonging to the City and coming into the City Treasurer's hands, and pay out the same only on warrants signed by the proper officers and not otherwise. The City Treasurer shall hold office for four (4) years and until a successor is elected and qualified. (Previous Section 13; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 332. CITY TAX COLLECTOR. There shall be a Tax Collector of which office the City Treasurer shall be ex-officio incumbent, unless the Council by ordinance, should provide for the collection of taxes and licenses by some other person or political

sub-division of the State of California. The Tax Collector shall perform such duties as may be prescribed by ordinance. (Previous Section 14; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 335. CHIEF OF POLICE. There shall be a Chief of Police appointed by the City Manager. The Chief of Police shall be the head of the Police Department of the City, and shall have all the powers that now or in the future may be conferred upon sheriffs and other peace officers by the laws of the state so far as they pertain to the City. It shall be the duty of the Chief of Police to preserve the public peace, to enforce the law and to suppress riots and disturbances. All orders of the Chief of Police shall be promptly executed by the police officers, or members of volunteer law enforcement organizations of the City, and every citizen shall lend aid when requested by the Chief of Police for the arrest of offenders, the maintenance of public order or the protection of life and property.

The Chief of Police shall execute and return all process issued by legal authority. The Chief of Police shall have the duty and the authority to arrest persons violating any laws of the nation, state, county or City. The Chief of Police shall have such other powers and duties pertaining to this office as may be prescribed by the Council or rules of the Police Department. (Previous Section 17; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 340. FIRE CHIEF. There shall be a Fire Chief appointed by the City Manager. The Fire Chief shall be head of the Fire Department of the City, and

shall have charge and supervision over all matters relating to the prevention and extinguishment of fires, and of all measures necessary to guard and protect all persons and property impaired thereby. During the time of a fire the Fire Chief shall always have supreme authority over the territory involved in and around such fire, and all persons in the immediate vicinity of the fire during such time, including police officers, shall be subject to the Fire Chief's orders. (Previous Section 18; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 370. OFFICIAL BONDS. The Council shall, by ordinance, determine which officers and employees shall be subject to group or individual bonds to insure faithful performance of their official and ex-officio duties, shall fix the amount of such bonds and provide for the payment of premiums by the City. (Previous Section 20; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 375. OATH OF OFFICE. Every officer shall take the constitutional oath or affirmation of office and sign such oath or affirmation before entering upon the performance of any official duties. (Previous Section 21; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 380. ADDITIONAL DUTIES OF OFFICERS. Besides the duties specified in this Charter, all officers and boards shall perform such other appropriate duties as may be prescribed by ordinance or the general

laws. (Previous Section 63; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 385. COMPENSATION. The Council, except as otherwise provided in this Charter, shall fix the compensation of all officers appointed by the Council.

The City Manager shall fix the compensation of all deputies, assistants and employees of all officers appointed by or under the authority of the City Manager subject to the approval of the Council.

The City Attorney and elected officials shall fix the compensation of all deputies, assistants and employees of the City employed in their offices subject to the budget and the personnel policies of the City, and subject to the approval of the Council. (Previous Section 64; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 390. EMPLOYEES' RETIREMENT SYSTEM.

(a) The "Public Employees' Retirement Law" (hereafter in this section, "Retirement Law") as now existing or as in the future may be amended, is hereby adopted for the City of Burbank.

(b) All necessary authority and power is hereby vested in the City, its Council and its officers, agents and employees to do and perform any act, or exercise any authority granted, permitted, or required under the provisions of the Retirement Law, to enable the City to become and remain a contracting City participating in the Public Employees' Retirement System;

(c) The contract entered into shall provide for the participation of all full time employees (except temporary and/or seasonal employees) of the City working

under the personnel system and of all full time elective and appointive officers of the City, and the contract shall give full credit for prior services rendered by the employees and full time elective and appointive officers to the City of Burbank prior to the effective date of the contract and shall provide compulsory retirement as provided in the Retirement Law.

(d) The Council may terminate any contract entered into with the Board of Administration of the Public Employees' Retirement System only under authority granted by an ordinance adopted by a majority vote of the electors of the City of Burbank. (Previous Section 59; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 395. CIVIL SERVICE SYSTEM. The Council shall provide for the establishment of a Civil Service System in the City of Burbank based on merit and suitability. (Previous Section 37; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 4.

Meetings of the Council

SECTION 400. MEETINGS, REGULAR AND SPECIAL. The Council shall meet at 10:00 a.m. on the first day of May following their election or if such day be a Saturday, Sunday or holiday, then upon the next regular working day. The new members shall then be inducted into office, whereupon the Council, as thus newly constituted, shall choose one of their number to serve as Mayor. The Mayor shall have the same voting power as any other member of the Council. The Council

shall also choose one of their number to serve as Vice-Mayor, who shall act as Mayor pro tempore in case of the absence, sickness or other disability of the Mayor. The officials so chosen shall hold their respective offices subject to the pleasure of the Council. The regular meetings of the Council shall be held at least twice per month and such further regular meetings shall be held as determined by ordinance. The time for holding all regular meetings of the Council shall be provided for by ordinance or resolution, but any regular meeting may be adjourned to a time certain, which adjourned meeting shall be a regular meeting for all purposes.

Special meetings may be called as provided by the laws of the State of California.

Except as otherwise provided by State law, all meetings of the Council shall be open to the public and held in the City Hall or such other place as may be prescribed by ordinance or resolution, unless the Council is compelled to meet elsewhere by reason of fire, flood, earthquake, other emergency, or the temporary unavailability of the regular meeting place. The Council shall adopt rules for conducting its proceedings. (Previous Section 6; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 405. PUBLIC PARTICIPATION. During any meeting of the Council, all persons are encouraged to address the Council on any item that is within the subject matter jurisdiction of the City Council or as otherwise required by state law. The Council shall provide for a reasonable period of comment consistent with the completion of the public's business, and may punish any member or other person for disorderly behavior at

any meeting. (Added renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 410. QUORUM. A majority of the Council Members shall constitute a quorum for the transaction of any business, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. (Previous Section 7; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 5.

Council Actions and Enactments

SECTION 500. ORDINANCES, RESOLUTIONS OR MOTIONS. The Council may take official action only by the passage or adoption of ordinances, resolutions or motions, as may be prescribed by the Constitution or Laws of the State of California, and the provisions of this Charter; provided that any action of the Council fixing or prescribing a fine, punishment or penalty, or granting any franchise, shall be taken by ordinance. In the absence of any express provision to the contrary in the California Constitution, Laws or Charter, the Council may choose any of the above three methods of taking such action. All proposed ordinances introduced in the Council shall be in printed form. The enacting clause of all ordinances passed by the Council shall read as follows: "The Council of the City of Burbank does ordain as follows:"

The affirmative vote of not less than three (3) members of the Council shall be necessary to adopt any

ordinances, resolutions or approve or reject claims against the City, which vote shall be taken by ayes and noes and entered upon the minutes of the Council.

Except as provided in this Charter no ordinance shall be passed by the Council on the day of its introduction, nor within five (5) days thereafter. Every ordinance shall be read in full only when requested by a majority of the Council. A proposed ordinance may be amended or modified between the time of its introduction and the time of its final passage, providing its general scope and original purpose are retained. All ordinances shall be signed by the Mayor and attested by the City Clerk, and the City Attorney's synopsis of such ordinances shall be published at least once in a newspaper of general circulation within fourteen (14) days of adoption, and shall become effective at 12:01 a.m. on the 31st day from and after the date of the adoption, and in computing such time the day of adoption shall be excluded; provided, however, that an ordinance calling or otherwise relating to an election, or ordinances otherwise specially required by the laws of the State, or ordinances declared by the Council to be necessary as an emergency measure for preserving the public peace, health, safety or welfare or as mandated by a state or federal law, regulation, or permit condition, and containing the reasons for its urgency and passed by not less than four (4) members of the Council, or ordinances relating to bond issues, may be introduced and passed at one and the same meeting, and shall become effective immediately, if the Council shall in such ordinance so provide and shall be published in a newspaper of general circulation within fourteen (14) days following adoption.

However, no measure creating or abolishing any office or changing the salaries, terms or duties of any office or creating any franchise or special privilege or creating any vested right or interest shall be construed to be an emergency or urgency measure. (Previous Section 8; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 505. ADOPTION OF CODES BY REFERENCE. The duly adopted and effective ordinances of the City, when compiled, arranged and codified or recodified, may be adopted by reference by passage of an ordinance for such purpose. Detailed regulations not embodied in any ordinance, such as fire, building, plumbing, electrical, and heating and cooling codes, as well as codes on other subjects, may be enacted in the same manner. Amendments to such codes shall be adopted by the same procedures as amendments to ordinances generally. Copies of all codes adopted by reference, that are not commercially available for sale, shall be made available to the public at a reasonable price. (Previous Section 8A; renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 6.

City Departments and Governmental Functions

Section 600. GOVERNMENTAL FUNCTIONS. In addition to public safety services and water and electric utility services, the City of Burbank, as a well managed and balanced City, shall serve the following functions:

1. Plan for and initiate sustainable long-range physical, economic, and social development of the City.

2. Effectively manage and maintain the City's infrastructure, including street, traffic, and transportation systems; sanitary and refuse systems; and public facilities.

3. Ensure open access to and availability of information and knowledge.

4. Provide high quality recreation facilities, programs, and activities designed to meet the human service, recreational, social, cultural, and educational needs of the City's constituents.

5. Provide high quality administrative support services designed to help the City meet its constituents' needs in an effective and efficient manner, including human resources, information management, budgeting, accounting, and other operations.

6. Such other functions as determined by the Council which are not prohibited by the California Constitution or this Charter. (Added by Charter Amendment approved by the voters on April 10, 2007)

SECTION 605. DEPARTMENT STRUCTURE.

Any department or function provided for in this Charter or by ordinance, may be subsequently combined with other divisions or departments, redivided, or otherwise reorganized at the discretion of the City Manager. (Previous Section 37A; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 610. UTILITY DEPARTMENT. There shall be a Utility Department to be known as Burbank Water and Power and a General Manager appointed by the City Manager.

The Department shall supervise the construction, reconstruction, operation and maintenance of all public utilities now or hereafter owned and operated by the City, including, but not limited to, the generation, purchase, distribution and sale of electric energy, water, gas, and telecommunications services and may, with the approval of the Council, lease or rent any property connected with any of its utilities and fix the rental charges thereof.

All funds received by the City related to the Department shall be deposited in the City Treasury to the credit of the Department. An amount not to exceed two percent (2%) of the Department's gross sales of electricity (exclusive of wholesale sales of electricity to other public or privately owned utilities) shall, in the Council's discretion, be deposited or transferred to the City's General fund, or pay bills incurred by the City for lighting its public streets, and an amount not to exceed five percent (5%) of the Department's gross sales of water and electricity, in lieu of taxes (exclusive of wholesale sales to other public or privately owned utilities) shall be deposited or transferred to the City's General Fund at the discretion of the Council.

Funds not immediately needed by the Department may be temporarily loaned to other departments of the City pending collection of tax receipts or other funds owing to such other department. (Previous Section 33; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 7.

Boards, Commissions and Committees

SECTION 700. BOARDS, COMMISSIONS AND COMMITTEES.

The Council may from time to time establish boards, commissions and committees, both ad hoc and standing, to advise the City and the Council on matters of public concern. In addition to any other boards, commissions and committees, there shall be the Planning Board, the Parks, Recreation and Community Services Board, the Civil Service Board, the Burbank Water and Power Board, and the Library Board, the size, membership and duties of each to be determined by the Council. (Previous Sections 34, 35, 36 and 37; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 705. POLICE COMMISSION. (a) There shall be a Police Commission, the size and membership of which are to be determined by the Council.

(b) The Police Commission shall have the following powers and duties:

1. To initiate studies and surveys in the general field of police science and law enforcement and report its findings and recommendations to the Council;

2. To conduct hearings, investigations, or both, at the request of the Council for the purpose of ascertaining whether additional legislation is needed for the health, safety, peace and welfare of the inhabitants of the City and to make findings and recommendations to the Council;

3. To act in an advisory capacity to the Council on policy matters pertaining to the Police Department of the City;

4. To receive complaints, except those relating to traffic engineering, pertaining to the Police Department and law enforcement in general;

5. To examine books, papers, records and accounts in the Police Department, other than confidential matters under investigation.

(c) The Council or the City Manager may assign other powers and duties to the Commission as they shall deem appropriate. (Added by Charter Amendment approved by the voters on April 10, 2007)

Article 8. Elections

SECTION 800. ELECTIONS. Municipal elections held in the City of Burbank shall be classified as of three (3) kinds:

- (1) Primary nominating elections.
- (2) General municipal elections.
- (3) Special elections.

Primary nominating elections shall be held on the last Tuesday in February in every odd-numbered year, and general municipal elections shall be held on the second Tuesday in April in every odd-numbered year, except that if either of said days is a legal holiday such election shall be held on the following day. The officers elected at a primary or general municipal elections shall, after they have qualified, enter upon the discharge of the duties of their offices, on the first day of May following their election and shall hold office for the period of four (4) years or until their successors are elected and qualified.

Candidates to be voted for at any general municipal election shall be nominated at a primary nominating election. No person shall be eligible to be nominated for an elective office of the City unless such person has resided in the City for at least twenty-nine (29) days prior to filing nomination papers or a declaration of candidacy, and such person is a registered voter of the City at the time of nomination or election to office, whichever is sooner; and no names shall be printed upon the ballot for such general election other than those selected in the manner prescribed in this Charter.

Whenever possible the officers of election who shall be appointed for the primary nominating election shall be the officers of election of such general municipal election and such general municipal election shall be held at the same places as far as possible, and the polls shall be opened and closed at the same hours, as may be provided for primary nominating elections.

In the event that any candidate for nomination to any office for which only one (1) person is to be elected shall receive a majority of the votes cast for all candidates for nomination to such office at such primary nominating election, the candidate so receiving such majority vote shall be deemed to be and declared by the Council to be elected to such office; provided, that in the case of candidates for the offices of member of the Council and member of the Board of Education, the candidates which are equal to or less than the number of such offices for which nominations are to be made who receive a majority of the votes of the voters voting for such office shall be deemed to be and declared by the

Council to be elected to such office or offices, and their names shall not be printed upon the ballot to be used at the following general election.

Except as provided above, the two (2) candidates receiving the highest number of votes for any given office at the primary nominating election shall be the candidates, and the only candidates, for such office whose names shall be printed upon the ballots to be used at the general municipal election; provided, that where more than one (1) office of the same kind is to be filled, the candidates for such offices, equaling in number twice the number of such offices, who receive the highest number of votes at the primary nominating election, shall be the candidates, and the only candidates, for such offices whose names shall be printed upon the ballot to be used at such general election.

Whenever it shall appear upon the canvass of the returns of either a primary or general election that two (2) or more persons have received an equal number of votes as candidates for any office at such election, so that the result of such election does not determine which of such persons has been nominated for or elected to such office, the City Clerk shall notify in writing all such persons so receiving such equal vote to appear before the Council at the time specified in the notice. Such persons shall appear before the Council at such time and place and then and there, in open session, draw lots, in such manner as the Council shall prescribe, to determine which of such persons shall be nominated for or elected to such office. If any such persons shall not so appear, the City Clerk shall act for such person or persons in such drawing of lots.

All municipal elections shall, except as in this Charter otherwise provided, be conducted and held in substantial accordance with the provisions of the laws of the state for holding of municipal elections except as otherwise provided by the City Election Code. No amendments to the City Elections Code shall be effective during the six (6) months immediately preceding any General Municipal Election in the City of Burbank, nor during the period between the ordering and the holding of a special election.

The Council shall have power to submit to the voters of the City at any election any proposition or question or ordinance required or authorized to be so submitted by the Constitution of the State of California, the law, this Charter, or by ordinance; provided, that in case such proposition or question is required by the Constitution, law, Charter, or ordinance to be submitted at a special or other particular kind of election, it shall be so submitted, and not otherwise.

Except as otherwise provided in this Charter, every special election shall be ordered, held and conducted (except as to the date of such election) and the result made known and declared in the same manner as provided in this Charter for other elections. The Council may consolidate special elections with each other or with any municipal, county or state election. When any elections shall have been consolidated as provided in this Charter, they shall be held, conducted, the returns canvassed and the result declared in all particulars the same as one election. Provided, that when any municipal election is consolidated with any state or county election, the ballots used may be the ballots used at such state or

county election, or may be separate ballots, or the voting may be in such manner as may be authorized by law, and the appropriate officials of the County of Los Angeles shall canvass the returns and shall certify the result of such canvass of all municipal questions submitted at such election, to the Council, who shall thereupon declare the result, and any act in relation to the conduct of such election, required by this Charter to be performed by any officer or employee of the City, shall be performed by the proper officer or employee of the County.

The Council shall, by ordinance, order the holding of all elections. Every such ordinance shall specify the object and time of holding any such election. Such ordinance shall also direct the City Clerk to publish, not later than twenty (20) days prior to an election, a list of election precincts, polling places, and election officers for each precinct. The ordinance shall also set forth the places of posting by the City Clerk of three (3) copies of such list of election precincts, polling places and election officers in three public places in the City, and such lists shall so remain until the day after such election. When two (2) or more municipal elections are consolidated by the Council, it shall not be necessary to set forth the precincts, polling places and election officers in more than one (1) list. If a municipal election is consolidated with a state or county election, it shall not be necessary to set forth the precincts, polling places, or election officers, but reference shall be made to the notice, resolution, or ordinance of the Board of Supervisors of Los Angeles County calling such election and fixing precincts, polling places and election officers.

All ordinances ordering the holding or consolidation of elections shall be published once in a newspaper of general circulation at least five (5) days prior to the date of such election.

The Council may conduct any City election by all mail ballot in accordance with provisions adopted by ordinance. In such elections any inconsistent provisions of this Charter shall not be applicable. (Previous Section 27; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 805. CANVASS OF RETURNS. The City Clerk shall begin canvassing the returns at eight o'clock, A.M. on the second working day after all of the returns from any municipal election have been received in the City Clerk's office. Such canvass shall be publicly conducted and continued until completed.

Whenever requested by the City Clerk, the Council shall authorize the temporary employment of such persons in addition to the persons regularly employed in the City Clerk's office, as may be necessary to assist the City Clerk in the performance of any duty imposed by the Charter or by the Council in connection with the conduct of any election.

The City Clerk shall post the results of such election in three (3) public places within the City. Within five (5) days after such posting, any registered voter of the City may file a verified written protest with the City Clerk contesting the count of the ballots. The protest shall set forth specifically the following:

1. The elector's name and address.

2. The name of the person whose right to be nominated or elected for an office, stating the office, is being contested; or the proposition being contested.

3. The number of the precinct or precincts in which it is contested errors in the counting of ballots would, if corrected, give a different result.

4. A statement of particulars as to the errors claimed to have been made in the original count.

5. A demand for a recount of the ballots cast at such election in the specified precinct or precincts.

6. A deposit in an amount estimated by the City Clerk to cover the cost of the recount.

The City Clerk shall present the result of the canvass of the returns of the election, together with any and all protests, to the Council at its next regular meeting after the expiration of the time for filing such protests. Unless a protest has been filed, the Council shall accept the canvass of returns by the City Clerk as correct and shall publicly declare the result. When any such protest has been filed, the Council shall fix a time for such recount, not more than seven (7) days following the Council meeting, for the City Clerk to conduct a recount of the ballots in the specified precinct or precincts only and as to the specified office or proposition. Upon the completion of such recount the Council shall publicly declare the result. The action of the Council shall be final.

The Council shall be the judge of the qualifications of all the elective officers of the City. (Previous Section 28; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 810. QUALIFICATION FOR ELECTIVE OFFICE.

No person may assume or hold an elective office of the City unless he or she is a registered voter of the City. (Previous Section 29; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 815. INITIATIVE, REFERENDUM AND RECALL.

The provisions of the Elections Code of the State of California governing the exercise of the powers of initiative and referendum in cities and governing the exercise of the power of recall of municipal officers shall apply to the exercise of those powers in the City insofar as such provisions may be applicable and except as otherwise provided in this Charter, or as otherwise provided by the Council by ordinance. (Previous Section 30; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

**Article 9.
Vacancies**

SECTION 900. VACANCIES.

(a) A vacancy in the office of Council Member from whatever cause shall be filled by appointment by the Council, such appointee to hold office until the next regularly scheduled municipal election; provided that if the Council fails to agree or for any other reason does not fill such vacancy within thirty (30) days after the same occurs, then such vacancy shall be filled by the Mayor. Should a vacancy occur after the opening of the filing period for election to the office of Council Member, or within thirty (30) days before the beginning of such filing period, then the appointee shall hold office until the regularly scheduled election next

following the one for which the filing period is called. Should the appointment be for an unexpired term which has two or more years remaining when the next regularly scheduled election occurs, then the candidate elected who receives the lesser number of votes, shall be deemed elected to the remaining term for which the appointment was made.

(b) If the seats of a majority of the Council shall become vacant, then the City Clerk shall call a special election at once to fill the vacancies for the unexpired terms and the same shall be conducted substantially in the manner provided for general municipal elections, and the candidates receiving the greatest number of votes, equal to the number of vacancies, shall be deemed elected.

(c) A vacancy on the Council shall occur if any member of the Council shall fail to attend any regular meeting of the Council for sixty (60) consecutive days without the permission of the Council, or shall fail to qualify, or shall move their place of residence outside the City, or shall cease to be an elector of the City, or shall resign, or be convicted of a felony, or be adjudged mentally incompetent. (Previous Section 26; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 10.

Finances and Budget

SECTION 1000. FISCAL YEAR. The fiscal year of the City shall commence on the first day of July of each year, or at such other time as may be fixed by ordinance. (Previous Section 40; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1005. BUDGET. On or before the first day of June the City Manager shall prepare, or have prepared, a proposed budget and submit it to the City Council with appropriate recommendations. The budget shall include estimates of the sources and uses of available funds for the following fiscal year. These estimates shall be compiled from detailed information obtained from the various departments. Terminology and classifications used shall be uniform in accordance with generally accepted accounting practices. The budget shall include:

1. An itemization of all anticipated revenues of the City.

2. A statement of the proposed use of funds for the following fiscal year.

3. Comparisons of current and prior year sources and uses of the funds.

4. The total amount of City debt outstanding.

5. A statement of the amounts which should be appropriated to pay all principal and interest payments on debts of the City and all its related entities.

6. An item to be known as "unappropriated balance" which sum shall be available for appropriation later in the fiscal year to meet contingencies which might arise.

7. A capital budget of proposed activities, developments, and improvements listed by category and specifying the anticipated sources of funding.

8. Such other information as may be required by the Council or which the City Manager may deem advisable to submit.

Sufficient copies of the proposed budget shall be prepared and printed that there be one (1) copy furnished each member of the Council and the City Clerk shall have sufficient copies for the inspection of the public. The Council may also provide for the printing and issuing of the adopted budget.

The Council shall have the power to revise, correct, or modify the proposed budget in any particular.

After considering the proposed budget, the Council shall fix a time for holding a public hearing upon the proposed budget and shall publish notice of the time fixed for the hearing one (1) time in a newspaper of general circulation at least ten (10) days before the time of the hearing. After the hearing, the Council may further modify or correct the proposed budget, and shall by resolution, adopted by a majority of the members of the Council adopt the budget, and authorize the tax levy required to provide funding for those uses identified for the fiscal year less the amounts to be raised by bond issues and revenues collected or transferred from other sources.

At any meeting after the adoption of the budget, the Council, by majority vote, may amend or supplement the budget so as to authorize the transfer of unused balances appropriated for one purpose to another, or to appropriate available revenue not included in the annual budget at its passage. (Previous Section 38; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1010. MUNICIPAL BONDED INDEBTEDNESS. The incurring of any general obligation bonded indebtedness of the City shall require the votes of two-thirds (2/3) of the voters voting at a special elect-

ion to be held for that purpose; provided, however, that when two (2) or more propositions for incurring any bonded indebtedness are submitted at the same election the votes cast for and against each proposition shall be counted separately and when two-thirds (2/3) of the voters voting on any one of such propositions vote in favor thereof such proposition shall be deemed adopted. Such special election may be consolidated with any municipal, county, state or other election.

Before or at the time of incurring such bonded indebtedness, provision shall be made as required by the Constitution of the State of California for the collection of an annual tax sufficient to pay the interest on such bonded indebtedness as it falls due and also to constitute a sinking fund for the payment of the principal on or before maturity. The Council may at any time use, for the payment of principal or interest of such bonds, revenues derived from sales or use taxes or any other revenues or income of the City not allocated to, set aside for, or required to be used for a special purpose or constituting a special or trust fund.

The provisions of this section shall not apply to revenue bonds issued pursuant to the provisions of the laws of the State of California or procedural ordinance of the City and payable solely from the revenues of a revenue producing system or facility of the City, and nothing in this section or elsewhere in this Charter shall authorize the use of any revenues of any revenue producing system or facility of the City in any manner or for any purpose contrary to a covenant or agreement contained in any ordinance, resolution or other proceeding (whether taken or adopted before or sub-

sequent to the adoption of this section) authorizing the issuance of revenue bonds payable from the revenues of such revenue producing system or facility. (Previous Section 43; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1015. DEPOSITS WITH TREASURER.

All moneys collected for the City by an officer or department thereof shall be paid into the treasury daily at the direction of the City Treasurer. (Previous Section 45; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1020. PAYMENT OF CITY FUNDS.

Despite any other provisions of this Charter, demands against the City shall be presented, numbered and allowed or disallowed and warrants shall be numbered, dated, issued and signed as prescribed by ordinance. No demand shall be allowed, approved, audited or paid unless it shall specify each item of the claim and the date submitted. (Previous Section 46; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1025. SURPLUS BOND MONEY.

All moneys derived from the sale of bonds, including premiums and accrued interest, shall be applied only to the purposes for which the bonds were voted. After such purposes have been fully completed and paid for, any remaining surplus shall be transferred to the bond interest and redemption fund. (Previous Section 47; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1030. UNIFORM ACCOUNTS AND REPORTS. The City shall use a uniform chart of accounts, which shall be observed by all officers and departments of the City which receive or disburse City moneys. (Previous Section 48; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1035. INDEPENDENT AUDITOR. The Council shall employ an independent certified public accounting firm to annually provide a full scope audit of the books and records of all funds and entities of the City of Burbank, and present its report to the City. (Previous Section 52; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1040. FINANCIAL REPORTS. Annual audited financial reports shall be submitted to the Council by the City Manager in such form as may be approved by the Council, and monthly financial reports shall be maintained by and available for public inspection in the Financial Services Department. (Previous Section 49; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1045. APPROVING ILLEGAL CLAIMS. Every officer who shall willfully and knowingly approve, allow or pay any demand on the treasury not authorized by law, shall be liable to the City individually and on such officer's official bond for the amount of the demand so approved, allowed or paid, and shall forfeit such office and be forever disbarred and disqualified from holding any position in the service of the City. (Previous Section 51; renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 11.

Board of Education

SECTION 1100. BOARD OF EDUCATION. (a)

The control of the public schools of the City of Burbank, including the whole of the Burbank Unified School District, shall be vested in a Board of Education, which shall consist of five (5) members elected at large.

(b) The members of the Board of Education shall be elected in the manner provided by this Charter and shall serve for a term of four (4) years.

(c) The powers and duties of the Board of Education shall be such as are prescribed by the Constitution and laws of the State of California, and shall include the power to submit to the voters at any election any proposition or question required or authorized to be so submitted by the Constitution of the State of California, the law, or by this Charter; provided, that in case such proposition or question is required by the Constitution, law, or Charter, to be submitted at a special or other particular kind of election, it shall be so submitted, and not otherwise. (Previous Section 31; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 12.

Purchasing, Contracts, Franchises, Improvements and Property

SECTION 1200. PUBLIC IMPROVEMENTS AND STREET WORK.

All public improvements, including the improving, widening, opening, extending, and closing of streets, lanes, or alleys, may be done and made in pursuance of the general laws of the state or procedure

ordinances adopted by the Council or the voters, and the whole or any portion of the cost of such improvements paid out of the City treasury or assessed on the property fronting on the improvement, or the district or lands benefited. (Previous Section 53; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1205. CONTRACT WORK AND PURCHASES.

(a) Contract Work. Every contract involving an expenditure of City moneys over an amount set by Ordinance for public works construction shall be let to the lowest responsible bidder after notice by publication in a newspaper of general circulation by two (2) insertions, the first of which shall be at least ten (10) days before the time for opening bids. In the case of an emergency, as established by Ordinance, such contracts may be awarded without advertising for bids and without Council approval. The Council shall have the right to waive any informality or minor irregularity in a bid. The City Manager may reject any and all bids presented and, in his or her discretion, may readvertise for bids, or recommend to the Council to dispense with competitive bidding. If the Council determines to dispense with competitive bidding, it shall do so by resolution, finding that it is in the best interests of the City.

(b) Purchases of Supplies, Materials, Equipment and Services Generally. Before making any purchase of, or contract for, supplies, materials, equipment or services (other than professional or contractual services which are, in their nature, unique and not subject to competitive bidding), the City Manager or a designated representative shall provide for competitive bidding under such definitions, conditions, terms, rules and regulations and

with such exceptions as the Council shall prescribe by ordinance. (Previous Section 54; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1210. ILLEGAL AND VOID CONTRACTS. No officer or employee of the City shall have an interest in any contract or be the purchaser at any sale or the vendor at any purchase to which the City is a party, except to the extent permitted by state law as now or hereafter provided.

No officer or employee of the City shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price or rate than that proposed by any other bidder, or favor one bidder over another, giving or withholding information or willfully mislead any bidder in regard to the character of the materials or supplies called for, or knowingly accept materials or supplies of a quality inferior to that called for by the contract, or knowingly certify to a greater amount of labor performed than has actually been performed, or to the receipt of a greater amount of material or supplies than has actually been received.

If at any time it shall be found that the person, firm or corporation to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or parties, then the contract so awarded shall, if the City so elect, be null and void and the contractor and its bondsmen shall be liable to the City for all loss or damage which the City may suffer due to such violation. In that event the Council may advertise again for bids for the work or supplies.

Any officer or employee violating any of the provisions of this section shall be guilty of a misdemeanor

and shall be immediately expelled from office or employment by the officer or board responsible for employment, and the contract or transaction may be voided at the option of the Council. (Previous Section 55; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1215. FRANCHISES. Every franchise or privilege to construct, maintain, or operate any railroad, or other means of transportation in or over any street or highway, or to lay pipes or conduits, or erect poles or wires or other structures in or across any street or highway for the transmission of gas, electricity, or other commodity, or for the use of public property or places now or hereafter belonging to the City, shall be granted under and in pursuance of the provisions of this Charter, any applicable City ordinances, resolutions or policies and the

general laws of the state relating to the granting of such franchises or privileges. The Council may place any condition on such franchise or privilege consistent with the California Constitution, general laws and this Charter. (Previous Section 56; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1220. DISPOSITION OF REAL PROPERTY. Any real property owned by the City of Burbank which has been or which may be dedicated to City use, and which is determined by a majority of the Council to be unsuitable or impractical for continued City use, may be sold or leased, either in whole or in part, under such terms and conditions and such procedure as the Council may by ordinance prescribe;

and the proceeds of such sale or lease shall be paid into the City Treasury. (Previous Section 59A; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 13.

OFFICIAL RECORDS AND OFFICIAL NOTICES

SECTION 1300. OFFICIAL RECORDS. The right to inspect public records of the City and to obtain copies thereof or information therefrom shall be governed by the laws of the State of California.

All officers and boards shall deliver to their successors all papers, books, documents, records, archives and other properties pertaining to their respective offices or departments, in their possession or under their control. (Previous Section 57; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1305. NEWSPAPER ADVERTISING. The publication of all ordinances and other legal notices of the City shall be made in a newspaper of general circulation published in the County of Los Angeles which has a substantial distribution to paid subscribers in the City, unless otherwise required by law.

The publication of every ordinance shall be complete if a notice of the ordinance is published which contains the full title, number and date of the ordinance, a brief synopsis of the content of the ordinance and the statement that a copy of the ordinance is on file and available for public inspection in the office of the City Clerk. (Previous Section 58; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 14. Amendment

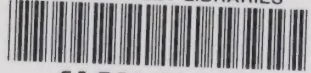
SECTION 1400. CHARTER AMENDMENTS. This Charter may be amended pursuant to the procedure set forth in the Constitution and laws of this state.

Not more than five (5) years following completion of the previous Charter review or the completion of the citizen committee review as provided in this paragraph, whichever is most recent, the Council shall appoint a citizen committee of five (5) members, one (1) appointed by each Council Member, to consider the Charter and advise the Council whether a comprehensive Charter review is necessary. The committee may recommend a full review, a limited, focused review, or no review. Upon such recommendation the Council may appoint a full Charter Review Committee, the number and appointments of which shall be determined by the Council, to determine what, if any, Charter changes should be placed before the voters.

From time to time the Council may also place other proposed Charter changes before the voters. (Previous Section 69; renumbered by Charter Amendment approved by the voters on April 10, 2007)

Article 15. Continuation of Previous Ordinances and Contracts; Constitutionality

SECTION 1500. CONTINUING ORDINANCES IN FORCE. All lawful ordinances, resolutions and regulations in force at the time this Charter shall take effect, and which are consistent with its provisions, are



hereby continued in force until they shall have been duly amended, repealed or superseded. (Previous Section 65; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1505. CONTINUING CONTRACTS IN FORCE. All vested rights of the City shall continue and shall not in any manner be affected by the adoption of this Charter; nor shall any right, liability, pending suit or prosecution, either in behalf of or against the City, be affected by the adoption of this Charter. All contracts entered into by the City prior to the taking effect of this Charter shall continue in full force and effect. All public work begun prior to the taking effect of this Charter shall be continued and completed. (Previous Section 66; renumbered by Charter Amendment approved by the voters on April 10, 2007)

SECTION 1510. CONSTITUTIONAL CLAUSE. If any section, subsection, sentence, clause or phrase of this Charter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Charter. The people of the City of Burbank hereby declare that they would have ratified and adopted, and the Legislature hereby declares that it would have approved this Charter and each section, subsection, sentence, clause and phrase of this Charter, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional. (Previous Section 68; amended and renumbered by Charter Amendment approved by the voters on April 10, 2007)

